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16 **IN THE UNITED STATES DISTRICT COURT**  
17 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

18 **IN THE MATTER OF THE SEIZURE**  
19 **OF:**

20 ANY AND ALL FUNDS HELD IN  
21 REPUBLIC BANK OF ARIZONA  
22 ACCOUNT(S) XXXX1889, XXXX2592,  
23 XXXX1938, XXXX2912, AND,  
24 XXXX2500.  
25  
26

No. CV 18-06742-RGK (PJW)

**APPLICATION FOR PERMISSION TO  
FILE UNDER SEAL; [PROPOSED]  
ORDER**

Hearing Information

Date: October 22, 2018

Time: 9:00 a.m.

Judge: Hon. R. Gary Klausner

Place: Courtroom 850

255 E. Temple Street, 8<sup>th</sup> Fl.

Los Angeles, CA 90012

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that James Larkin applies to the Court for an order permitting Mr. Larkin to file under seal the concurrently filed Declaration of Paul J. Cambria (the “Cambria Decl.”) and Exhibits 1-18 thereto.

This application is based upon this Notice, the following Application, and the Declaration of Anthony R. Bisconti filed concurrently herewith. In the event the Application is denied, counsel will publicly file the document(s) for consideration by the Court.

Dated: September 20, 2018

BIENERT, MILLER & KATZMAN, PLC

By: /s/ Thomas H. Bienert

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Anthony R. Bisconti

Whitney Z. Bernstein

Attorneys for James Larkin

DAVIS WRIGHT & TREMAINE, LLP

By: /s/ James C. Grant

James C. Grant

Robert Corn-Revere

Attorneys for James Larkin

**MEMORANDUM OF POINTS AND AUTHORITIES**

James Larkin seeks an order permitting him to file under seal pursuant to L.R. 79-5 and this Court's procedures for under seal filings the Cambria Decl. and Exhibits 1-18 thereto.

Exhibits 3 and 4 to the Cambria Decl. are documents with respect to which the government has asserted the attorney work-product privilege. The remaining exhibits are communications concerning the government's production of these documents (and others), as well as communications concerning the government's privilege assertion and claim of inadvertent disclosure. Mr. Larkin disagrees with and has challenged the government's privilege assertion in the concurrently-filed *Motion to Access and Use Purportedly Inadvertently Produced Materials* (the "Production Motion"). However, out of an abundance of caution, and until the Court rules upon the Production Motion, Mr. Larkin submits these exhibits under seal for consideration in connection with the Production Motion, as well as the Larkin's *Motion to Vacate or Modify Seizure Warrants* (the "Seizure Motion"). See Dkt. 6

Dated: September 20, 2018

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